



# CITY OF SAN MATEO

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## Agenda Report

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Agenda Number: 17

Section Name: {{section.name}}

Account Number: 10-1311

File ID: {{item.tracking\_number}}

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**TO:** City Council

**FROM:** Drew Corbett, City Manager

**PREPARED BY:** City Manager's Office

**MEETING DATE:** October 17, 2022

**SUBJECT:**  
Outdoor Dining Guidelines – Amendments

### RECOMMENDATION:

Adopt a Resolution to approve amendments to the Parklet Permit Program Guidelines and the Sidewalk and Pedestrian Mall Outdoor Dining Permit Program and authorize the City Manager to make further minor administrative amendments to these program guidelines.

### BACKGROUND:

The City of San Mateo adopted a permanent Parklet Permit Program on June 21, 2021 and revised its existing sidewalk dining encroachment permit to include pedestrian mall dining on March 21, 2022. These two programs went into effect when the City's Temporary Outdoor Dining Permit Program expired on May 1, 2022. City staff has been working with businesses to process their applications and issue permits under the program.

Through the permitting process, staff identified sections of the guidelines for both programs that need clarification. Many businesses are struggling to meet ADA compliance, so the language was clarified to better define the required ADA cross-slope. Additionally, the guidelines encourage applicants to consider the possibility of raising the parklet platform above the sidewalk to achieve ADA compliance where there is a steep crown in the street. This technique was used successfully at the Avenida parklet on 3rd Avenue.

Other key changes that were made were include:

- Eliminating references to the Temporary Outdoor Dining program which expired in May 2022.
- Requiring a pre-submittal meeting for parklet applications to allow staff to walk through the proposed application with businesses to streamline review and more quickly identify revisions that may be needed.
- Allowing sidewalk dining installations to submit pictures of their proposed furnishings instead of site plans to make the application process less onerous.
- Allowing the use of sail shades in parklets, provided that staff can complete additional review to ensure structural integrity.

As staff continues to process applications, we expect there will be other sections of the guidelines that need further clarification to make them more comprehensible to applicants. Staff requests that further minor administrative changes be approved by the City Manager. Any significant substantive changes would still be brought back to City Council for review and approval. Whether a change to the Guidelines is minor or significant will be determined by the City Manager. The updated guidelines for both programs are included as exhibits to the resolution included as Attachment 1 to this report.

**BUDGET IMPACT:**

These amendments will have no impact on the City's General Fund.

**ENVIRONMENTAL DETERMINATION:**

These amendments to the program guidelines are categorically exempt from CEQA as an “existing facility,” because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. (CEQA Guidelines Section 15301.)

**NOTICE PROVIDED**

All meeting noticing requirements were met.

**ATTACHMENTS**

Att 1 - Proposed Resolution

**STAFF CONTACT**

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